

REMARKS

The sole outstanding issue is the Examiner's double patenting rejection.

Double Patenting Rejection

The Examiner rejected claims 13, 15, and 16 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 6, 11, and 12 of U.S. Patent No. 5,944,648 to Cornay. The Examiner further provisionally rejected claims 15 and 16 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 10 of co-pending application serial no. 09/828,296. In response thereto, two terminal disclaimers are submitted herewith. It is respectfully submitted that the contemporaneously-submitted terminal disclaimers, signed by Lee R. Osman, overcome the Examiner's rejections. Also submitted herewith is a Declaration and Power of Attorney granting power of attorney to Mr. Osman. This document was originally submitted on May 15, 1998, during prosecution of application serial no. 08/950,377 (now U.S. Patent No. 5,944,648), to which the present application claims priority. The Applicant respectfully submits the power of attorney carries forward to the present application, in accordance with the present application's priority claim. Please note that no additional terminal disclaimer fee has been paid or is required, in accordance with the Examiner's remarks.

Accordingly, the Applicant respectfully requests all pending claims be allowed.

CONCLUSION

It is believed that no new matter has been added by this Amendment. A notice of allowance for the remaining claims is earnestly solicited.

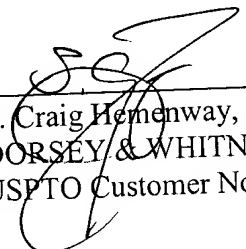
This Amendment and Response is submitted contemporaneously with two terminal disclaimers and associated fees. At this time, the Applicant believes no additional petitions or fees are due. However, if any additional petitions, requests, or fees are due, please consider this a request therefor and authorization to charge to Deposit Account 04-1415 as necessary.

PATENT
Attorney Docket No. 5770.04
Express Mail Label No. EV 156 967 645 US

Should the Examiner have any questions regarding this Response he feels may be answered through a telephone conference, he is urged to contact the undersigned attorney at his convenience.

Dated this 29th day of September, 2003.

Respectfully submitted,



S. Craig Hemenway, Reg. No. 44,759
DORSEY & WHITNEY LLP
USPTO Customer No. 20686